

## MRS. SCHENK RIDES AUTO TO RIDE WITH SOCIETY MAN

Her Companion on the Trips Tells How They Met and Had Beer and Sandwiches. WITNESS AGAINST HER. He Swears Prisoner at Times Spoke of Husband's Probable Death—Water Poisoned.

WHEELING, W. Va., Jan. 13.—Daniel A. Phillips, twenty-four, a Wheeling society man, whose name has been connected with that of Mrs. Schenk since her arrest, was put on the stand at the afternoon session as a State witness.

He said Mrs. Schenk often called at his place of business. "She often asked me to go auto riding," he added. "How long ago did this begin?" the prosecutor asked. "A year and a half ago," was the reply. "How often did you go?" "Sometimes once every two weeks. "Were these merely social rides?" "They were. Others were along. Most always Mrs. Schenk, Lundy Wilson, the chauffeur, and I were in the party."

Talked of Husband's Death. Mrs. Schenk, Phillips said, would call him up, or send the chauffeur to fix a rendezvous. Frequently they would meet at the bridge connecting Wheeling and West Virginia.

"We nearly always had beer and sandwiches," he said. A schoolhouse in Martin's Ferry was their most frequent place of meeting, he said.

The party would ride into the country. The beer and sandwiches would be eaten and then the chauffeur would leave. "Mrs. Schenk often gave me presents," Phillips said. "Once she gave me a pin, another time a fine smoking jacket."

"She frequently talked of her husband's probable death during his recent illness," witness said. Phillips added to his testimony by saying that he and Mrs. Schenk had often talked of her getting a divorce from her husband.

As he talked Phillips' eyes time and again went to Mrs. Schenk. Only once did she look at him. Then her eyes quickly turned away from him.

Phillips said that he and Mrs. Schenk were in the schoolhouse on the morning of the trial of her husband, John O. Schenk.

Prisoner Laughs. Mrs. Schenk was in unusual spirits through the morning session, most of which was consumed by the testimony of various experts. She laughed with lawyers and spectators over the humorously earnest answers of her former colored servant, State witness, whose testimony was expected to be sensational, but who merely told of the presence of two of the four women detectives in the Schenk home and eliminated herself as a possible factor in the poison plot.

The testimony of a chemist that bottled water given to Schenk while he was sick had contained arsenic did not make her good humor.

Dr. O. W. Burdett, a Wheeling doctor, who treated John O. Schenk, the prisoner, was on the stand at the opening of the trial to-day.

Schenk's dental work figures in the case because the State's star medical expert, Dr. Frank M. Hupp, under cross-examination, acknowledged as the "black line" on Schenk's gums, presumably indicating lead poisoning, might have been caused by gum disease.

Burdett testified that he noticed the peculiar condition of the prisoner's gums in October. A heavy black blue line, he discerned, was on the gums and led to about that time.

Schenk to go to the dentist, but the court would not admit the evidence.

Arsenic in Water. The witness said he was convinced the blue line indicated some disarrangement of the system instead of gum disease.

On the cross-examination Attorney Hupp for the defense tried to get the expert to say the line might have resulted from stomach trouble.

"Not altogether," the witness replied. "Prof. J. W. Mallen, white haired head of the chemistry department of the University of Virginia, was put on the stand to tell of the analysis of the suspected samples of Schenk's drinking water."

"I found the water contained arsenic, but no lead," the expert testified.

Prof. Mallen displayed and described to the jury the poisonous sediments he said he had drawn from the water. The jurors handled with keen interest the little glass test tubes containing the arsenic.

Witness said he found eight-tenths grains of arsenic per pint. In the quantity he analyzed, a little more than a pint, the chemist said he found 1.1 grains.

Fluorescein Coleman, a laundress employed by Mrs. Schenk, was called to the stand. The witness said on the day the Schenks and Miss Evans went to riding as told by the nurse yesterday, she found the Schenk's bedroom.

"Did you put anything in Mr. Schenk's water or medicine?" Handan asked.

"No," she said. The girl replied so emphatically that jurors and spectators laughed.

Handan's evident intention was to eliminate the laundress as a possible factor in the alleged poison plot.

The girl said two women, a "youngish" and an "oldish," were employed at the house during the latter part of Schenk's illness.

## DENOUNCES MRS. OF MILLIONAIRE IN SPIRIT WILL CASE

Surrogate Ketchum Refuses to Probate Testament of Robert H. Thompson. WIDOW WAS CUT OFF. Granddaughter Accused of Fraud in Messages She Got From Dead.

Surrogate Ketchum of Brooklyn to-day denied the probate of the will of the late Robert H. Thompson, the millionaire paper manufacturer. In his decision the surrogate denounced at length the testamentary grandchildren, Mrs. Marion F. Funk and her brother, Robert H. Thompson, Jr., for having deceived their aged relative with spiritistic messages from his first wife, which resulted in cutting off the young widow, Mrs. Mabelle Ames Thompson, without a dollar.

Mrs. Thompson left an estate of \$2,000,000, and as a result of surrogate Ketchum's decision the widow, who was married to the paper manufacturer last February, less than six months before he died, will receive her dower rights, amounting to almost \$1,000,000.

Rarely in a judicial decision have heirs under a will been arraigned in such exhorting language as Surrogate Ketchum employs in denying the probate of the Thompson will.

Had Been His Cashier. Mr. Thompson was seventy-two years old when he died. His will was made on June 19, 1908, before his marriage to Miss Ames, who had been his cashier, but at a time he contemplated the marriage. The surrogate declared that this will was obtained through fraud and undue influence exerted by Mrs. Funk and her brother. The testator's testamentary grandchildren, Mrs. Marion F. Funk and her brother, Robert H. Thompson, Jr., were accused of having deceived their aged relative with spiritistic messages from his first wife, which resulted in cutting off the young widow, Mrs. Mabelle Ames Thompson, without a dollar.

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## Woman Faker of Spirit Notes And Widow in Big Will Fight

Victim Was George Melber of Schenectady and Police Now Trailing Parent.

ALBANY, Jan. 13.—George Melber of Schenectady to-day positively identified the boy victim of the swamp murder as his grandson, George Melber. Detectives are now on their way to Syracuse and Rochester on the hunt for Mrs. Edith De Bougie Melber, a nurse, the mother of the dead boy, who suddenly disappeared yesterday.

The woman last Tuesday went to the home of her brother, Charles F. Smith, at No. 215 Lincoln avenue, Schenectady, where her little boy was staying, and took him away with her. To a woman who employs her as nurse she subsequently said she was going to take the child to Albany, from which point his uncle would take him to West.

She returned last Wednesday and left yesterday without stating her intentions to anybody.

The police have learned that a trunk belonging to Mrs. Melber was checked for her at the depot in Schenectady and was taken West on the 12:42 train. The destination was either Rochester or Syracuse.

District Attorney Blessing of Schenectady County, who accompanied the grandfather to this city to-day, declared that it was his opinion that the mother was either insane or that the boy and stood in the way of her remarriage.

The grandfather of the little boy to-day told the Albany police that his son, the father of the murdered boy, died four years ago, shortly after the birth of the child.

Mrs. Melber, who is a nurse, put the boy in an orphan asylum. Just before the holidays she took him from the institution to the home of her brother, Charles F. Smith, from which, as stated above, she took him, saying she was going to send him back to the asylum.

The mother of the Melber boy, for whom the police are now searching, was formerly Miss Edith De Bougie of Syracuse. She is a tall blonde, about twenty-seven years old, and answers in every detail the description of a woman who bought candy and a couple acid at a drug store in this city. Charles F. Smith, Mrs. Melber's brother, said:

"The only way in which I can account for my sister's action is that she must be insane. She was very fond of her child, and my wife and I had frequently urged her to let us adopt him, but she refused."

The grandfather of the dead boy was prostrated with grief.

WOMAN HELD AFTER SAYING HUSBAND KILLED HER CHILD.

Police Captain Dooley of the Bedford avenue station, Brooklyn, said this afternoon there was a young woman at No. 135 Wythe avenue who had told several Polish women that her husband had killed her four-year-old child.

Detectives were sent to the house and they found Mrs. Josephine Dorosky. She is Polish, but speaks very good English. She had a three-month-old baby girl with her.

When questioned the young woman told a rambling story and contradicted herself several times. She denied that she had said her husband had taken her little boy from her and killed the child. She said she came to Brooklyn from Pittsburgh Sunday. Her baby had been born in Hartford and she had moved from there to Pittsburgh.

She would not say why she had come to Brooklyn, and evaded many questions with the ambiguous reply: "If you want to know any more ask the police in Hartford. They know all about me."

Capt. Dooley decided to detain the woman and sent her to Police Headquarters, where she will remain until the Hartford police have been communicated with.

According to the women who had taken the mother and child in they found her at Wythe avenue and North Seventh street last Friday night. The detectives say there is a burn on her arm that might have been inflicted with acid.

Tammany, however, is confident that Dix is away bottled up and that he will break in the program when he comes as a result of any act of his. Charges of bad faith are made repeatedly against the Governor by members of the Shepard committee. The men who are opposing Sheehan declare that the Governor has informed them that he sympathizes with their movement, and that he has given them every reason to believe he would use his influence on behalf of Shepard.

Still Citing to Hope. "We do not expect the Governor to interfere with the Legislature," said one of the Shepard committee to-day. "We have had every reason to believe that he would interfere with Murphy and protest against his course, which is suicidal."

Before coming to the point of a public breach with the Governor, the shepherds will give Dix opportunity to come out into the open and make good the promises which they have made to believe he has made. The advice of Gov. Dix is the most Tammany Hall could ask. Because of this silence and his professed friendliness for Murphy legislation cannot be passed. The Governor is for Sheehan. Privately Tammany men declare that Gov. Dix fully approves of everything done by Murphy.

There is not the slightest doubt the selection of Sheehan will precipitate a bitter factional warfare. It is freely asserted by members of the Shepard campaign committee that if, through the failure of Gov. Dix to act, Sheehan is made Senator the only course open to Thomas M. Osborne and William Church Osborne, leaders in the fight for Shepard, will be to resign from the Dix cabinet.

Cram Not on the Ground. One of the most striking evidences of party disruption over the choice of Sheehan is the absence from Albany of J. Sargant Cram. Mr. Cram has been outspoken in his opposition to Sheehan, and Tammany men say he has threatened to resign as Democratic County Chairman of New York if Sheehan is picked by Murphy.

To Men Who Know

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PENNY A POUND PROFIT

SPECIAL FOR FRIDAY, THE 13TH

AMERICAN CREAM PEPPERMINTS

10c

SPECIAL FOR SATURDAY, THE 14TH

CHOCOLATE COVERED SAIR DATES

10c

FREE

CHARLES A. KEENE

180 Broadway, New York

DIED.

MOONEY, On Jan. 11, MARY, in her 32d year, at St. Mary's Hospital, Brooklyn.

Funeral from the residence of her uncle, Patrick Tierman, 512 Pacific at on Saturday, Jan. 14, at 9:30 A. M. thence to St. Joseph's Church, where a mass will be offered for the repose of her soul. Interment Holy Cross Cemetery.

NORRIS.—At his residence, 1349 First avenue, TUESDAY, NORRIS, dearly beloved son of Morris Norris. Funeral from his late residence, Sunday, at 1:30 P. M.

## MURDERED BOY IDENTIFIED, HIS MOTHER MISSING

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